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### **DECLARATION OF Melissa Sutton**

- I, Melissa Sutton, declare as follows:
- 1. I am a resident of the State of Oregon. I am over the age of 18 and have personal knowledge of all the facts stated herein, except to those matters stated upon information and belief; as to those matters, I believe them to be true. If called as a witness, I could and would testify competently to the matters set forth below.
- 2. I am currently employed by the Oregon Health Authority as the Medical Director, Respiratory Viral Pathogens and Epidemiology and Laboratory Capacity Project Director.
- As the Epidemiology and Laboratory Capacity Project Director, I am responsible 3. for leadership, management, and administration of the Centers for Disease Control and Prevention Epidemiology and Laboratory Capacity for Prevention and Control of Emerging Infectious Diseases (ELC) cooperative agreement with Oregon Health Authority. In collaboration with the ELC Governance Team, I assure sufficient and appropriate oversight and integration of cooperative agreement planning and implementation.
- 4. Our agency recently received four award terminations from the U.S. Department of Health and Human Services, Centers for Disease Control and Prevention. The total value of the terminated awards was \$69,042,296. All terminations were "for cause" based on the end of the COVID pandemic, rather than failure of Oregon Health Authority to follow the terms or conditions of the cooperative agreement. Descriptions of each award and the effects of these terminations follow.

### **ELC Enhancing Detection**

5. In 2020, the Department of Health and Human Services, Centers for Disease Control and Prevention (CDC) through the Epidemiology and Laboratory Capacity for

Document 4-37

Prevention and Control of Emerging Infectious Diseases (ELC) cooperative agreement, awarded supplemental funding for ELC Enhancing Detection.

- 6. This funding was intended to provide critical resources to state, local, and territorial health departments in support of a broad range of COVID-19-related detection, response, surveillance, and prevention activities. Activities *required* by the award included: (1) building public health workforce capacity; (2) increasing laboratory testing capacity for SARS-CoV-2/COVID-19 both within and outside of public health laboratories; (3) advancing electronic data exchange within public health laboratories; (4) improving surveillance and reporting of electronic health data; (5) enhancing investigation, response, and prevention activities; and (6) engaging with external partners to increase testing and infection prevention capacity throughout the state. In the short term, this funding was provided to urgently support the COVID-19 response and, in the longer term, "... the establishment of modernized public health surveillance systems...and [to] lay the foundation for the future of public health surveillance."
- 7. The notice of award (document number 19NU50CK000541C4) for ELC Enhancing Detection was issued on May 18, 2020 in the amount of \$86,954,065. The end date of the funding period was extended several times to allow jurisdictions the time necessary to achieve larger program goals. At the time of termination, the award had been extended through July 31, 2026.
- 8. The notice of award set forth the terms and conditions of the supplemental funding. A true and correct copy of the corresponding notice of award and its attachments, dated May 18, 2020, is attached as Exhibit A. As set forth therein, termination of the cooperative agreement by the Centers for Disease Control and Prevention is permitted only as outlined in 45 CFR 75.372.

- 9. Since May 2020, Oregon Health Authority has used the ELC Enhancing Detection cooperative agreement funding in a manner fully consistent with CDC's statements regarding the nature of the cooperative agreement and CDC's supplemental funding guidance, including the pursuit of all *required* activities.
- 10. Oregon Health Authority has used this funding to successfully respond to the COVID-19 pandemic while modernizing public health infrastructure to prepare for the next emerging infectious disease threat. Early in the pandemic, funding was used primarily for urgent response—to rapidly scale up our public health workforce to investigate and isolate cases of COVID-19, trace and quarantine close contacts, implement infection prevention strategies in high-risk facilities, and rapidly test people with symptoms. \$18,603,900 (21.4%) was distributed to local public health authorities to support case investigation and contact tracing in communities throughout the state. As the pandemic evolved and the severity of infection caused by COVID-19 decreased due to immunity gained from vaccination and natural infection, public health's priorities shifted from urgent response to recovery, with an internal agency focus on infrastructure modernization as *required* by the supplemental funding. As set forth by CDC and embraced by the agency, infrastructure priorities have included a laboratory information management system (LIMS) at the Oregon State Public Health Laboratory (OSPHL), automated reporting and ingestion of case data from laboratory and clinical partners, and automated transmission of case reporting to CDC. Modernizing the current public health system cannot be achieved overnight—it has required years of onboarding external partners, developing requests for proposal, executing contracts, and purchasing equipment to replace a crumbling physical infrastructure.

- As of March 24, 2025, \$13,572,619 in funding remained committed to the agency 11. by CDC with a funding period end date of July 31, 2026. The funds would have been used to maintain robust surveillance and complete the public health modernization activities which the agency developed in response to CDC *required* activities within the supplemental funding. Oregon Health Authority posts expenditures to the payment management system (PMS) throughout the funding period. At the end of each month, revenue is drawn from PMS. The next draw was scheduled for March 31, 2025.
- 12. Oregon Health Authority has satisfactorily met all CDC requirements for funding, including regular fiscal and performance reporting. Technical reviews of agency workplans by CDC have been generally positive.
- 13. In November 2022, CDC provided annotated guidance for this supplemental funding to support *required* workplan and budget revisions to scale down response-related work (e.g., case investigation and contact tracing) and pivot to, "long-term capacity building." The guidance stated that, "successful completion of these activities may provide the greatest opportunity for building capacity that will resonate after the pandemic, and associated funds, are gone."
- 14. On March 25, 2025, without any prior notice or indication, CDC informed Oregon Health Authority that effective March 24, 2025 its ELC Enhancing Detection award was being terminated on the date on the notice of award (March 24, 2025). A true and correct copy of the cooperative agreement notice of award amendment is attached as Exhibit B.
- 15. The notice of award amendment states that, "the purpose of this amendment is to terminate the use of any remaining COVID-19 funding associated with this award." The amendment states that the termination is, "for cause" and provides the justification that the

limited purpose of the cooperative agreements ("...to ameliorate the effects of the pandemic...") has run out. The limited purpose as described in the termination clause does not align with CDC's supplemental guidance or Oregon Health Authority's understanding of the long-term purpose of this funding: "... the establishment of modernized public health surveillance systems."

- 16. The agency was notified of a notice of award amendment via an email from GrantSolutions with the title, "The Grant for Oregon Health Authority, Public Health Division (6 NU50CK000541-05-13) has been awarded." This email was received at 4:21 AM on March 25, 2025, outside of normal business hours for both pacific standard time and eastern standard time. The notice of award amendment stated that the agency has 30 days to submit a final federal financial report (FFR, SF-424); this represents a dramatic variance from the standard 120-day closeout period.
- 17. Oregon Health Authority relied and acted upon its expectation and understanding that CDC would fulfill its commitment to provide ELC Enhancing Detection funding it had awarded to the agency and its subrecipients. Immediate termination has led to the abrupt cessation of internal and external surveillance and capacity-building activities.
- 18. ELC Enhancing Detection currently supports 10.46 full-time equivalent (FTE) personnel within Oregon Health Authority and more than \$7.7 million in contracts with external partners. As stated above, 21.4% of this funding was distributed to local and tribal public health authority subrecipients. External partnerships with subrecipients, academic, health care and laboratory partners, and the private sector have all been damaged as these entities grapple with how to immediately cease activities previously funded for an additional 15 months. Significant progress towards and investment in *required* activities will be lost because of the termination in

funding. For example, the OSPHL LIMS project, in which outdated infrastructure from the 1980s was to be replaced with a modern information system eliminating the need for manual data entry and facilitating electronic reporting, has reached the contracting and implementation stage. As a result of the termination in funding, the pilot for this project has been paused indefinitely and the millions of dollars already invested in this *required* activity may be wasted.

19. Prior to the cooperative agreement award termination on March 24, 2025, CDC had never provided Oregon Health Authority with notice, written or otherwise, that the cooperative agreement administered by the agency was in any way unsatisfactory.

### **ELC Firstline IPC Training**

- 20. In 2020, the Department of Health and Human Services, Centers for Disease Control and Prevention (CDC) through the Epidemiology and Laboratory Capacity for Prevention and Control of Emerging Infectious Diseases (ELC) cooperative agreement awarded supplemental funding for ELC Firstline IPC Training.
- 21. This funding was intended to deliver foundational infection prevention and control (IPC) to frontline health care personnel to stop the spread of COVID-19 and other infectious disease threats. Activities *required* by the award included: (1) establishing local and regional IPC training and expertise; (2) conducting needs assessments of the local health care workforce to identify knowledge gaps by setting; (3) promoting awareness and uptake of IPC training activities; and (4) conducting IPC trainings for frontline health care providers throughout the state.
- 22. The notice of award for ELC Firstline IPC Training (document number 19NU50CK000541CV) was issued on May 28, 2020 in the amount of \$1,138,385. The end date of the funding period was extended several times to allow jurisdictions the time necessary to

achieve larger program goals. At the time of termination, the award had been extended through July 31, 2026.

- 23. The notice of award set forth the terms and conditions of the supplemental funding. A true and correct copy of the corresponding notice of award and its attachments, dated May 28, 2020, is attached as Exhibit C. As set forth therein, termination of the cooperative agreement by the Centers for Disease Control and Prevention is permitted only as outlined in 45 CFR 75.372.
- 24. Since May 2020, Oregon Health Authority has used the ELC Firstline IPC Training cooperative agreement funding in a manner fully consistent with CDC's statements regarding the nature of the cooperative agreement and CDC's supplemental funding guidance, including the pursuit of all *required* activities.
- 25. Oregon Health Authority has used this funding to successfully strengthen IPC capacity statewide to protect against COVID-19 as well as other infectious disease threat. Funding has been used to support a dedicated IPC epidemiologist within the agency and to hire external consultants with IPC expertise to support IPC trainings.
- 26. As of March 24, 2025, \$529,169 in funding remained committed to the agency by CDC with a funding period end date of July 31, 2026. The funds would have been used to continue IPC capacity-building activities which the agency developed in response to CDC required activities within the supplemental funding. Oregon Health Authority posts expenditures to the payment management system (PMS) throughout the funding period. At the end of each month, revenue is drawn from PMS. The next draw was scheduled for March 31, 2025.

- 27. Oregon Health Authority has satisfactorily met all CDC requirements for funding, including regular fiscal and performance reporting. Technical reviews of agency workplans by CDC have been generally positive.
- Oregon Health Authority that effective March 24, 2025 its ELC Firstline IPC Training award was being terminated on the date on the notice of award (March 24, 2025). A true and correct copy of the cooperative agreement notice of award amendment is attached as Exhibit B.
- 29. The notice of award amendment states that, "the purpose of this amendment is to terminate the use of any remaining COVID-19 funding associated with this award." The amendment states that the termination is, "for cause" and provides the justification that the limited purpose of the cooperative agreements ("...to ameliorate the effects of the pandemic...") has run out. The limited purpose as described in the termination clause does not align with CDC's supplemental guidance or Oregon Health Authority's understanding of the overarching purpose of this funding: "... to keep healthcare workers, patients, and the healthcare environment safe from COVID-19 and other infectious disease threats."
- 30. The agency was notified of a notice of award amendment via an email from GrantSolutions with the title, "The Grant for Oregon Health Authority, Public Health Division (6 NU50CK000541-05-13) has been awarded." This email was received at 4:21 AM on March 25, 2025, outside of normal business hours for both pacific standard time and eastern standard time. The notice of award amendment stated that the agency has 30 days to submit a final federal financial report (FFR, SF-424); this represents a dramatic variance from the standard 120-day closeout period.

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- 31. Oregon Health Authority relied and acted upon its expectation and understanding that CDC would fulfill its commitment to provide ELC Firstline IPC Training funding it had awarded to the agency and its subrecipients. Immediate termination has led to the abrupt cessation of internal and external capacity-building activities.
- 32. ELC Firstline IPC Training currently supports 1.0 full-time equivalent (FTE) personnel within Oregon Health Authority and more than \$400,000 in contracts with external partners. External partnerships with subrecipients have been damaged as these entities grapple with how to immediately cease activities previously funded for an additional 15 months. Planned trainings to frontline healthcare workers and boots on the ground technical support will be ceased along with the ongoing development of educational materials directed towards specialized healthcare staff. This will result in unmeasurable increases in healthcare-associated infections across the continuum of care, disproportionately affecting our most medically fragile populations such as the elderly. Significant progress towards and investment in *required* activities will be lost because of the termination in funding.
- 33. Prior to the cooperative agreement award termination on March 24, 2025, CDC had never provided Oregon Health Authority with notice, written or otherwise, that the cooperative agreement administered by the agency was in any way unsatisfactory.

### **ELC Enhancing Detection Expansion**

34. In 2021, the Department of Health and Human Services, Centers for Disease Control and Prevention (CDC) through the Epidemiology and Laboratory Capacity for Prevention and Control of Emerging Infectious Diseases (ELC) cooperative agreement, awarded supplemental funding for ELC Enhancing Detection Expansion, a companion supplement to the ELC Enhancing Detection supplement described above.

- 35. This funding was intended to provide critical resources to state, local, and territorial health departments in support of a broad range of COVID-19-related detection, response, surveillance, and prevention activities and to build upon the work funded under ELC Enhancing Detection. Activities *required* by the award included: (1) building public health workforce capacity; (2) increasing laboratory testing capacity for SARS-CoV-2/COVID-19 both within and outside of public health laboratories; (3) advancing electronic data exchange within public health laboratories; (4) improving surveillance and reporting of electronic health data; (5) enhancing investigation, response, and prevention activities; and (6) engaging with external partners to increase testing and infection prevention capacity throughout the state. In the short term, this funding was provided to urgently support the COVID-19 response and, in the longer term, with, "... foresight, consideration for, and planning to address future infectious disease threats."
- 36. The notice of award (document number 19NU50CK000541EDEXC5) for ELC Enhancing Detection Expansion was issued on January 13, 2021 in the amount of \$242,766,122. The end date of the funding period was extended several times to allow jurisdictions the time necessary to achieve larger program goals. At the time of termination, the award had been extended through July 31, 2026.
- 37. The notice of award set forth the terms and conditions of the supplemental funding. A true and correct copy of the corresponding notice of award and its attachments, dated January 13, 2021, is attached as Exhibit D. As set forth therein, termination of the cooperative agreement by the Centers for Disease Control and Prevention is permitted only as outlined in 45 CFR 75.372.

- 38. Since January 2021, Oregon Health Authority has used the ELC Enhancing Detection Expansion cooperative agreement funding in a manner fully consistent with CDC's statements regarding the nature of the cooperative agreement and CDC's supplemental funding guidance, including the pursuit of all *required* activities.
- 39. Oregon Health Authority has used this funding to successfully respond to the COVID-19 pandemic while modernizing public health infrastructure to prepare for the next emerging infectious disease threat. Early in the pandemic, funding was used primarily for urgent response—to rapidly scale up our public health workforce to investigate and isolate cases of COVID-19, trace and quarantine close contacts, implement infection prevention strategies in high-risk facilities, and rapidly test people with symptoms. \$82,525,000 (34.0%) was distributed to local public health authorities and community-based organizations to support case investigation and contact tracing in communities throughout the state. As the pandemic evolved and the severity of infection caused by COVID-19 decreased due to immunity gained from vaccination and natural infection, public health's priorities shifted from urgent response to recovery, with an internal agency focus on infrastructure modernization as *required* by the supplemental funding.
- 40. As of March 24, 2025, \$49,314,355 in funding remained committed to the agency by CDC with a funding period end date of July 31, 2026. The funds would have been used to maintain robust surveillance and complete the public health modernization activities which the agency developed in response to CDC *required* activities within the supplemental funding.

  Oregon Health Authority posts expenditures to the payment management system (PMS) throughout the funding period. At the end of each month, revenue is drawn from PMS. The next draw was scheduled for March 31, 2025.

- 41. Oregon Health Authority has satisfactorily met all CDC requirements for funding, including regular fiscal and performance reporting. Technical reviews of agency workplans by CDC have been generally positive.
- 42. In November 2022, CDC provided annotated guidance for this supplemental funding to support *required* workplan and budget revisions to scale down response-related work (e.g., case investigation and contact tracing) and pivot to, "long-term capacity building." The guidance stated that, "successful completion of these activities may provide the greatest opportunity for building capacity that will resonate after the pandemic, and associated funds, are gone."
- 43. On March 25, 2025, without any prior notice or indication, CDC informed Oregon Health Authority that effective March 24, 2025 its ELC Enhancing Detection Expansion award was being terminated on the date on the notice of award (March 24, 2025). A true and correct copy of the cooperative agreement notice of award amendment is attached as Exhibit B.
- 44. The notice of award amendment states that, "the purpose of this amendment is to terminate the use of any remaining COVID-19 funding associated with this award." The amendment states that the termination is, "for cause" and provides the justification that the limited purpose of the cooperative agreements ("...to ameliorate the effects of the pandemic...") has run out. The limited purpose as described in the termination clause does not align with CDC's supplemental guidance or Oregon Health Authority's understanding of the long-term purpose of this funding: "... the establishment of modernized public health surveillance systems."
- 45. The agency was notified of a notice of award amendment via an email from GrantSolutions with the title, "The Grant for Oregon Health Authority, Public Health Division (6

NU50CK000541-05-13) has been awarded." This email was received at 4:21 AM on March 25, 2025, outside of normal business hours for both pacific standard time and eastern standard time. The notice of award amendment stated that the agency has 30 days to submit a final federal financial report (FFR, SF-424); this represents a dramatic variance from the standard 120-day closeout period.

- 46. Oregon Health Authority relied and acted upon its expectation and understanding that CDC would fulfill its commitment to provide ELC Enhancing Detection Expansion funding it had awarded to the agency and its subrecipients. Immediate termination has led to the abrupt cessation of internal and external surveillance and capacity-building activities.
- 47. ELC Enhancing Detection currently supports 27.99 full-time equivalent (FTE) personnel within Oregon Health Authority and more than \$28.1 million in contracts with external partners. As stated above, 34.0% of this funding was distributed to local and tribal public health authority and community-based organization subrecipients. External partnerships with subrecipients, academic, health care and laboratory partners, and the private sector have all been damaged as these entities grapple with how to immediately cease activities previously funded for an additional 15 months. Significant progress towards and investment in *required* activities will be lost because of the termination in funding.
- 48. Prior to the cooperative agreement award termination on March 24, 2025, CDC had never provided Oregon Health Authority with notice, written or otherwise, that the cooperative agreement administered by the agency was in any way unsatisfactory.

### **ELC SHARP 2 NHSN Connectivity Initiative**

49. In 2024, the Department of Health and Human Services, Centers for Disease Control and Prevention (CDC) through the Epidemiology and Laboratory Capacity for

Prevention and Control of Emerging Infectious Diseases (ELC) cooperative agreement, awarded supplemental funding for ELC SHARP 2 NHSN Connectivity Initiative.

- 50. This funding was intended to enhance and expand a near real-time hospital capacity bed data feed to CDC's National Healthcare Safety Network (NHSN). Activities required by the award included functioning as a resource hub to other jurisdictions.
- 51. The notice of award (document number 19NU50CK000541SHP2C5) for ELC SHARP 2 NHSN Connectivity Initiative was issued on January 4, 2024 in the amount of \$6,254,911. The end date of the funding period was July 31, 2027.
- 52. The notice of award set forth the terms and conditions of the supplemental funding. A true and correct copy of the corresponding notice of award and its attachments, dated January 4, 2024, is attached as Exhibit E. As set forth therein, termination of the cooperative agreement by the Centers for Disease Control and Prevention is permitted only as outlined in 45 CFR 75.372.
- 53. Since January 2024, Oregon Health Authority has used the ELC SHARP 2 NHSN Connectivity Initiative cooperative agreement funding in a manner fully consistent with CDC's statements regarding the nature of the cooperative agreement and CDC's supplemental funding guidance, including the pursuit of all *required* activities.
- 54. Oregon Health Authority has used this funding to maintain a near-real time hospital capacity data feed connecting the Oregon Capacity System to the NHSN and to provide technical support to other states in their development of the hospital capacity feeds.
- As of March 24, 2025, \$5,626,153 in funding remained committed to the agency 55. by CDC with a funding period end date of July 31, 2027. The funds would have been used to maintain the hospital capacity data feed to NHSN and to continue to offer technical support to

other jurisdictions. Oregon Health Authority posts expenditures to the payment management system (PMS) throughout the funding period. At the end of each month, revenue is drawn from PMS. The next draw was scheduled for March 31, 2025.

- 56. Oregon Health Authority has satisfactorily met all CDC requirements for funding, including regular fiscal and performance reporting.
- 57. On March 25, 2025, without any prior notice or indication, CDC informed Oregon Health Authority that effective March 24, 2025 its ELC SHARP 2 NHSN Connectivity Initiative award was being terminated on the date on the notice of award (March 24, 2025). A true and correct copy of the cooperative agreement notice of award amendment is attached as Exhibit B.
- 58. The notice of award amendment states that, "the purpose of this amendment is to terminate the use of any remaining COVID-19 funding associated with this award." The amendment states that the termination is, "for cause" and provides the justification that the limited purpose of the cooperative agreements ("...to ameliorate the effects of the pandemic...") has run out.
- 59. The agency was notified of a notice of award amendment via an email from GrantSolutions with the title, "The Grant for Oregon Health Authority, Public Health Division (6 NU50CK000541-05-13) has been awarded." This email was received at 4:21 AM on March 25, 2025, outside of normal business hours for both pacific standard time and eastern standard time. The notice of award amendment stated that the agency has 30 days to submit a final federal financial report (FFR, SF-424); this represents a dramatic variance from the standard 120-day closeout period.

- 60. Oregon Health Authority relied and acted upon its expectation and understanding that CDC would fulfill its commitment to provide ELC SHARP 2 NHSN Connectivity Initiative funding it had awarded to the agency and its subrecipients. Immediate termination has led to the abrupt cessation of external hospital capacity surveillance technical support.
- ELC SHARP 2 NHSN Connectivity Initiative currently supports 0.45 full-time 61. equivalent (FTE) personnel within Oregon Health Authority and more than \$5.0 million in a contract with an external partner. External partnerships with subrecipients have all been damaged as these entities grapple with how to immediately cease activities previously funded for an additional 27 months. Significant progress towards and investment in *required* activities will be lost because of the termination in funding.
- 62. Prior to the cooperative agreement award termination on March 24, 2025, CDC had never provided Oregon Health Authority with notice, written or otherwise, that the cooperative agreement administered by the agency was in any way unsatisfactory.
- 63. These abrupt award terminations jeopardize the significant work that Oregon Health Authority and its subrecipients have done to modernize our demonstrably antiquated public health system, and will impact our ability to protect the public from future emerging disease threats.

I declare under penalty of perjury under the laws of the United States that, to the best of my knowledge, the foregoing is true and correct.

Executed on March 28, 2025, at Hood River, Oregon.

#### Case 1:25-cv-00121-MSM-LDA Document 4-37

1a. SUPERSEDES AWARD NOTICE dated 04/23/202#: 2936 1. DATE ISSUED MM/DD/YYYY except that any additions or restrictions previously imposed 05/18/2020 remain in effect unless specifically rescinded 2. CFDA NO. 93.323 - Epidemiology and Laboratory Capacity for Infectious Diseases (ELC) 3. ASSISTANCE TYPE Cooperative Agreement 4. GRANT NO. 6 NU50CK000541-01-07 5. TYPE OF AWARD Demonstration 4a. FAIN NU50CK000541 5a. ACTION TYPE Post Award Amendment 6. PROJECT PERIOD MM/DD/YYYY MM/DD/YYYY

#### Filed 04/01/25 Page 17 of 53 PageID

### **DEPARTMENT OF HEALTH AND HUMAN SERVICES Centers for Disease Control and Prevention**

2939 Brandywine Road Atlanta, GA 30341

### **NOTICE OF AWARD**

AUTHORIZATION (Legislation/Regulations) 301(A)AND317(K)(2)PHS42USC241(A)247B(K)2

#### 8. TITLE OF PROJECT (OR PROGRAM)

From

From

7. BUDGET PERIOD

08/01/2019

08/01/2019

MM/DD/YYYY

Oregon 2019 Epidemiology and Laboratory Capacity for Prevention and Control of Emerging Infectious Diseases (ELC)

Through

Through

07/31/2024

MM/DD/YYYY

07/31/2020

9a, GR	ANTEE NAME AND ADDRESS		9b. GRANT	EE PROJECT DIRECTOR				
н	JMAN SERVICES, OREGON DEPARTMENT OF		Dr. Ann Thomas					
	0 Summer St Ne E32		800 NE Oregon St Suite 772					
-D	UP4		Portlan	d, OR 97232				
SA	ALEM, OR 97301-1063		Phone: 971-673-1111					
10a. G	RANTEE AUTHORIZING OFFICIAL		10b. FEDER	AL PROJECT OFFICER				
Dı	. Collette Young. PhD	Mrs. Ja	anice Downing					
80	0 NE Oregon Street Suite 465		1600 C	lifton Rd				
Po	ortland, OR 97232-2187		Atlanta	, GA 30333				
Pl	none: (971) 673-0199		Phone	404-639-7808				
		ALL AMOUNTS ARE S	SHOWN IN US	SD				
11. APP	ROVED BUDGET (Excludes Direct Assistance)		12. AWARD C	OMPUTATION				
I Finar	cial Assistance from the Federal Awarding Agency Only		a. Amount o	f Federal Financial Assistance (fron	n item 11m)	98,897,708.00		
Il Total project costs including grant funds and all other financial participation			b. Less Unobligated Balance From Prior Budget Periods 0.0					
a.	Salaries and WageS	1,356,027.00	c. Less Cumulative Prior Award(s) This Budget Period 11,943,643					
	Friend Bounefts	726.058.00	d. AMOUNT OF FINANCIAL ASSISTANCE THIS ACTION 86.954.065.					
b.	Fringe Benefits	.,	13. Total Federal Funds Awarded to Date for Project Period 98,897,70					
c.	Total Personnel Costs	2,082,085.00		ENDED FUTURE SUPPORT				
d.	Equipment	0.00	` '	ne availability of funds and satisfacto	ory progress of the p	- /		
e.	Supplies	264,673.00	YEAR	TOTAL DIRECT COSTS	YEAR	TOTAL DIRECT COSTS		
f	Travel	51,025.00	a. 2		d. 5			
	i i avei		b. 3		e. 6			
g.	Construction	0.00	c. 4		f. 7			
h.	Other	95,348,975.00	15. PROGRAM ALTERNATIVES	INCOME SHALL BE USED IN ACCORD WITH 3:	ONE OF THE FOLLOW	NG		
i.	Contractual	638,727.00	b.	DEDUCTION ADDITIONAL COSTS MATCHING		b		
j.	TOTAL DIRECT COSTS	98,385,485.00	d.	OTHER RESEARCH (Add / Deduct Option) OTHER (See REMARKS)				
k.	INDIRECT COSTS	512,223.00						
I. TOTAL APPROVED BUDGET 98,897,708.00			16. THIS AWARD IS BASED ON AN APPLICATION SUBMITTED TO, AND AS APPROVED BY, THE FEDERAL AWARDING AGENC' ON THE ABOVE TITLED PROJECT AND IS SUBJECT TO THE TERMS AND CONDITIONS INCORPORATED EITHER DIRECTLY OR BY REFERENCE IN THE FOLLOWING:					
			b.	The grant program legislation The grant program regulations. This award notice including terms and condition	ne if any noted holesses	Har DEMARKS		
m.	Federal Share	98,897,708.00	d.	Federal administrative requirements, cost princ	iples and audit requireme	ents applicable to this grant.		
n.	Non-Federal Share	0.00	In the event there are conflicting or otherwise inconsistent policies applicable to the grant, the above order of precedence shal prevail. Acceptance of the grant terms and conditions is acknowledged by the grantee when funds are drawn or otherwise obtained from the grant payment system.					

"ELC Enhancing Detection Funding: Financial Assistance in the amount of \$86,954,065"

**GRANTS MANAGEMENT OFFICIAL:** Brownie Anderson-Rana, Grants Management Officer

REMARKS (Other Terms and Conditions Attached -

2939 Flowers Road Mailstop TV2 Atlanta, GA 30341-5509

Phone: 770-488-2771

1 110110	3.110 100 2111									
17.OBJ CLA	<b>SS</b> 41.51	18a. VEN	IDOR CODE	1936001752A1	18b. EIN	936001752	19. DUN	<b>IS</b> 878144021	20. CONG. DIST.	05
FY-	-ACCOUNT NO.		DOCUME	NT NO.		ADMINISTRATIVE CODE	А	MT ACTION FIN ASST	APPROPRIA	TION
21. a.	0-9390EWQ	b.	19NU50C	(000541C3	c.	СК	d.	\$0.00	e. 75	2024-0943
22. a.	0-9390F7F	b.	19NU50C	(000541C4	C.	СК	d.	\$86,954,065.00	e.	75-X-0140
23. a.		b.			c.		d.	Evk	าใbit A	
									TIDIL A	

No)

X Yes

# NOTICE OF AWARD (Continuation Sheet)

PAGE 2 of 3	DATE ISS 05/18/202	
GRANT NO.	6 NU50CK00054	11-01-07

### **Direct Assistance**

BUDGET CATEGORIES	PREVIOUS AMOUNT (A)	AMOUNT THIS ACTION (B)	TOTAL (A + B)
Personnel	\$0.00	\$0.00	\$0.00
Fringe Benefits	\$0.00	\$0.00	\$0.00
Travel	\$0.00	\$0.00	\$0.00
Equipment	\$0.00	\$0.00	\$0.00
Supplies	\$0.00	\$0.00	\$0.00
Contractual	\$0.00	\$0.00	\$0.00
Construction	\$0.00	\$0.00	\$0.00
Other	\$0.00	\$0.00	\$0.00
Total	\$0.00	\$0.00	\$0.00

# NOTICE OF AWARD (Continuation Sheet)

3

PAGE 3 of 3		DATE ISSUED 05/18/2020
GRANT NO.	6 NU	50CK000541-01-07

Federal Financial Report Cycle						
Reporting Period Start Date	Reporting Period End Date	Reporting Type	Reporting Period Due Date			
08/01/2019	07/31/2020	Annual	10/29/2020			

Exhibit A Page 3 of 8 Case 1:25-cv-00121-MSM-LDA Document 4-37 Filed 04/01/25 Page 20 of 53 PageID #: 2939

## **AWARD ATTACHMENTS**

Oregon Health Authority/Public Health Division

6 NU50CK000541-01-07

1. COVID19 Supplement Terms and Conditions CK541

### AWARD INFORMATION

**Incorporation**: In addition to the federal laws, regulations, policies, and CDC General Terms and Conditions for Non-research awards at

https://www.cdc.gov/grants/federalregulationspolicies/index.html, the Centers for Disease Control and Prevention (CDC) hereby incorporates Notice of Funding Opportunity (NOFO) number CK19-1904, entitled Epidemiology and Laboratory Capacity (ELC), which is hereby made a part of this Non-research award, hereinafter referred to as the Notice of Award (NoA).

Component Funding: Additional funding in the amount \$86,954,065 is approved for the Year 01 budget period, which is August 1, 2019 through July 31, 2020

COVID-19 Paycheck Protection Program and Health Care Enhancement Act Response Activities:

E. Cross-Cutting Emerging Issues: \$86,954,065

Recipients have 30 months from the date of this NoA to expend all funds awarded herein

Budget/Workplan Revision Requirement: Within 30 days of this NoA, the recipient must submit a revised budget with a narrative justification outlining response activities. Failure to submit the required information in a timely manner may adversely affect the future funding of the project. If the information cannot be provided by the due date, you are required to contact your ELC Project Officer and Grant Management Specialist. The revised budget must be uploaded in GrantSolutions as an amendment to allow issuance of a revised NoA.

Pre-Award Costs: Pre-award costs dating back to January 20, 2020 – when CDC first activated its Emergency Operations Center (EOC) – and directly related to the COVID-19 outbreak response are allowable.

Indirect Costs: Indirect cost will be approved based on current approved negotiated indirect cost rate agreement.

Overtime: Because overtime costs are a very likely and reasonable expense during the response to COVID-19, CDC will allow recipients to include projected overtime in their budgets. Recipients should be careful to estimate costs based on current real-time needs and will still be required to follow federal rules and regulations in accounting for the employees' time and effort.

### Additional Term and Condition:

A recipient of a grant or cooperative agreement awarded by the Department of Health and Human Services (HHS) with funds made available under the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020 (P.L. 116-123); the Coronavirus Aid, Relief, and Economic Security Act, 2020 (the "CARES Act") (P.L. 116-136); and/or the Paycheck Protection Program and Health Care Enhancement Act (P.L. 116-139) agrees, as applicable to the award, to: 1) comply with existing and/or future directives and guidance from the Secretary regarding control of the spread of COVID-19; 2) in consultation and coordination with HHS, provide, commensurate with the condition of the individual, COVID-19 patient care regardless of the individual's home jurisdiction and/or appropriate public health measures (e.g., social distancing, home isolation); and 3) assist the United States Government in the implementation and enforcement of federal orders related to guarantine and isolation.

In addition, to the extent applicable, Recipient will comply with Section 18115 of the CARES Act, with respect to the reporting to the HHS Secretary of results of tests intended to detect SARS-CoV-2 or to diagnose a possible case of COVID-19. Such reporting shall be in accordance with guidance and direction from HHS and/or CDC.

purpose of this award, and the underlying funding, the recipient is expected to provide to CDC copies of and/or access to COVID-19 data collected with these funds, including but not limited to data related to COVID-19 testing. CDC will specify in further guidance and directives what is encompassed by this requirement.

This award is contingent upon agreement by the recipient to comply with existing and future guidance from the HHS Secretary regarding control of the spread of COVID-19. In addition, recipient is expected to flow down these terms to any subaward, to the extent applicable to activities set out in such subaward.

### Unallowable Costs:

- Research
- Clinical care
- Publicity and propaganda (lobbying):
  - Other than for normal and recognized executive-legislative relationships, no funds may be used for:
    - publicity or propaganda purposes, for the preparation, distribution, or use of any material designed to support or defeat the enactment of legislation before any legislative body
    - the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence the enactment of legislation, appropriations, regulation, administrative action, or Executive order proposed or pending before any legislative body
  - See Additional Requirement (AR) 12 for detailed guidance on this prohibition and additional guidance on lobbying for CDC recipients: https://www.cdc.gov/grants/documents/Anti-Lobbying Restrictions for CDC Grantees July 2012.pdf
- All unallowable costs cited in CDC-RFA-CK19-1904 remain in effect, unless specifically amended in this guidance, in accordance with 45 CFR Part 75 - Uniform Administrative Requirements, Cost Principles, And Audit Requirements for HHS Awards.

### REPORTING REQUIREMENTS

### Additional Reporting:

- Monthly fiscal reports (beginning 60 days after NOAs are issued)
- Quarterly progress reports on status of timelines, goals, and objectives as defined by CDC in approved work plans
- Quarterly Performance measure data
- CDC may require recipients to develop annual progress reports (APRs). CDC will provide APR guidance and optional templates should they be required.
- Quarterly reporting of test results, both positive and negative
- Clarity on how the states will focus on high socially vulnerable index counties, rural and urban areas, etc. (Vulnerable populations must be specific).

Required Disclosures for Federal Awardee Performance and Integrity Information System (FAPIIS): Consistent with 45 CFR 75.113, applicants and recipients must disclose in a timely manner, in writing to the CDC, with a copy to the HHS Office of Inspector General (OIG), all information related to violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Subrecipients must disclose, in a timely manner in writing to the prime recipient (pass through entity) and the HHS OIG, all information related to violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Disclosures must be sent in writing to the CDC and to the HHS OIG at the hoit A

### following addresses:

CDC, Office of Grants Services
Tonya M. Jenkins, Grants Management Specialist
Time Solutions LLC
Office of Grants Services (OGS)
Office of Financial Resources (OFR)
Office of the Chief Operating Officer (OCOO)
Centers for Disease Control and Prevention (CDC)
pjo6@cdc.gov | 404-498-2399 office

### **AND**

U.S. Department of Health and Human Services Office of the Inspector General ATTN: Mandatory Grant Disclosures, Intake Coordinator 330 Independence Avenue, SW Cohen Building, Room 5527 Washington, DC 20201

Fax: (202)-205-0604 (Include "Mandatory Grant Disclosures" in subject line) or Email: MandatoryGranteeDisclosures@oig.hhs.gov

Recipients must include this mandatory disclosure requirement in all subawards and contracts under this award.

Failure to make required disclosures can result in any of the remedies described in 45 CFR 75.371. Remedies for noncompliance, including suspension or debarment (See 2 CFR parts 180 and 376, and 31 U.S.C. 3321).

CDC is required to report any termination of a federal award prior to the end of the period of performance due to material failure to comply with the terms and conditions of this award in the OMB-designated integrity and performance system accessible through SAM (currently FAPIIS). (45 CFR 75.372(b)) CDC must also notify the recipient if the federal award is terminated for failure to comply with the federal statutes, regulations, or terms and conditions of the federal award. (45 CFR 75.373(b))

### **PAYMENT INFORMATION**

The HHS Office of the Inspector General (OIG) maintains a toll-free number (1-800-HHS-TIPS [1-800-447-8477]) for receiving information concerning fraud, waste, or abuse under grants and cooperative agreements. Information also may be submitted by e-mail to <a href="mailto:hhstips@oig.hhs.gov">hhstips@oig.hhs.gov</a> or by mail to Office of the Inspector General, Department of Health and Human Services, Attn: HOTLINE, 330 Independence Ave., SW, Washington DC 20201. Such reports are treated as sensitive material and submitters may decline to give their names if they choose to remain anonymous.

Payment Management System Subaccount: Funds awarded in support of approved activities have been obligated in a subaccount in the PMS, herein identified as the "P Account". Funds must be used in support of approved activities in the NOFO and the approved application.

The grant document number identified on the bottom of Page 1 of the Notice of Award must be known in order to draw down funds.

**Stewardship**: The recipient must exercise proper stewardship over Federal funds by ensuring that all costs charged to your cooperative agreement are allowable, allocable, and reasonable and that they address the highest priority needs as they relate to this program.

All the other terms and conditions issued with the original award remain in effect throughout the budget period unless otherwise changed, in writing, by the Grants Management Officer.

Award# 6 NU50CK000541-05-13 FAIN# NU50CK000541

Federal Award Date: 03/24/2025

### **Recipient Information**

### 1. Recipient Name

OREGON HEALTH AUTHORITY

500 Summer St Ne E32

-DUP4

SALEM, OR 97301-1063

[NO DATA]

# 2. Congressional District of Recipient

3. Payment System Identifier (ID)

1936001752A1

- **4. Employer Identification Number (EIN)** 936001752
- 5. Data Universal Numbering System (DUNS) 878144021
- **6. Recipient's Unique Entity Identifier (UEI)**HFJRBHKCBPR5
- 7. Project Director or Principal Investigator

Dr. Melissa Sutton M.D. melissa.sutton@oha.oregon.gov 503-871-9772

#### 8. Authorized Official

Dr. Collette- Young.. PhD Collette.M.YOUNG@dhsoha.state.or.us (971) 673-0199

#### **Federal Agency Information**

CDC Office of Financial Resources

### 9. Awarding Agency Contact Information

Whitney Dade

Grants Management Specialist

zmm8@cdc.gov

4044983038

### 10.Program Official Contact Information

Zoe Kaplan Program Officer prd7@cdc.gov 2409942681

#### **Federal Award Information**

### 11. Award Number

6 NU50CK000541-05-13

12. Unique Federal Award Identification Number (FAIN)

NU50CK000541

#### 13. Statutory Authority

301(A)AND317(K)(2)PHS42USC241(A)247B(K)2

#### 14. Federal Award Project Title

Oregon 2020 Epidemiology and Laboratory Capacity for Prevention and Control of Emerging Infectious Diseases (ELC)

### 15. Assistance Listing Number

03 323

### 16. Assistance Listing Program Title

Epidemiology and Laboratory Capacity for Infectious Diseases (ELC)

#### 17. Award Action Type

Administrative Action

#### 18. Is the Award R&D?

No

### **Summary Federal Award Financial Information**

19. Budget Period Start Date	08/01/2023	- End Date 03	/24/2025

20. Total Amount of Federal Funds Obligated by this Action	\$0.00
20a. Direct Cost Amount	\$0.00
20b. Indirect Cost Amount	\$0.00

**21.** Authorized Carryover \$32,965,365.00

**22.** Offset \$1,077,168.00

**23.** Total Amount of Federal Funds Obligated this budget period \$13,842,666.00

24. Total Approved Cost Sharing or Matching, where applicable \$0.00

25. Total Federal and Non-Federal Approved this Budget Period

26. Period of Performance Start Date 08/01/2019 - End Date 03/24/2025

**27.** Total Amount of the Federal Award including Approved Cost Sharing or Matching this Period of Performance

\$526,862,847.91

\$13,842,666.00

#### 28. Authorized Treatment of Program Income

ADDITIONAL COSTS

#### 29. Grants Management Officer - Signature

Percy Jernigan

### 30. Remarks

Department Authority

DEPARTMENT OF HEALTH AND HUTTARESERVICES

Award# 6 NU50CK000541-05-13 FAIN# NU50CK000541

Federal Award Date: 03/24/2025

# Centers for Disease Control and Prevention

### **Recipient Information**

#### **Recipient Name**

OREGON HEALTH AUTHORITY

500 Summer St Ne E32

-DUP4

SALEM, OR 97301-1063

[NO DATA]

### **Congressional District of Recipient**

### **Payment Account Number and Type**

**Employer Identification Number (EIN) Data** 

**Universal Numbering System (DUNS)** 

Recipient's Unique Entity Identifier (UEI)

HFJRBHKCBPR5

### 31. Assistance Type

Cooperative Agreement

32. Type of Award

Other

### 33. Approved Budget

(Excludes Direct Assistance)

- I. Financial Assistance from the Federal Awarding Agency Only
- Total project costs including grant funds and all other fil

II. Total project costs including grant funds and a	ıll other financial participation
a. Salaries and Wages	\$7,545,642.00
b. Fringe Benefits	\$4,099,582.00
c. TotalPersonnelCosts	\$11,645,224.00
d. Equipment	\$671,924.00
e. Supplies	\$1,252,863.00
f. Travel	\$86,505.00
g. Construction	\$0.00
h. Other	\$2,228,259.00
i. Contractual	\$28,413,049.00
j. TOTAL DIRECT COSTS	\$44,297,824.00
k. INDIRECT COSTS	\$3,587,375.00
1. TOTAL APPROVED BUDGET	\$47,885,199.00
Fadaval Chava	•

m. Federal Share \$47,885,199.00

n. Non-Federal Share \$0.00

### 34. Accounting Classification Codes

FY-ACCOUNT NO.	DOCUMENT NO.	ADMINISTRATIVE CODE	OBJECT CLASS	ASSISTANCE LISTING	AMT ACTION FINANCIAL ASSISTANCE	APPROPRIATION
0-9390F7F	19NU50CK000541C4	CK	41.51	93.323	\$0.00	75-X-0140
4-9390MVT	19NU50CK000541SHP2C5	CK	41.51	93.323	\$0.00	75-2124-0943
0-9390EPX	19NU50CK000541CV	CK	41.51	93.323	\$0.00	75-2022-0943
1-9390GKT	19NU50CK000541EDEXC5	CK	41.51	93.323	\$0.00	75-2122-0140

Centers for Disease Control and Prevention

Award# 6 NU50CK000541-05-13

FAIN# NU50CK000541

Federal Award Date: 03/24/2025

### **Direct Assistance**

BUDGET CATEGORIES	PREVIOUS AMOUNT (A)	AMOUNT THIS ACTION (B)	TOTAL (A + B)
Personnel	\$0.00	\$0.00	\$0.00
Fringe Benefits	\$0.00	\$0.00	\$0.00
Travel	\$0.00	\$0.00	\$0.00
Equipment	\$0.00	\$0.00	\$0.00
Supplies	\$0.00	\$0.00	\$0.00
Contractual	\$0.00	\$0.00	\$0.00
Construction	\$0.00	\$0.00	\$0.00
Other	\$0.00	\$0.00	\$0.00
Total	\$0.00	\$0.00	\$0.00

# **AWARD ATTACHMENTS**

**OREGON HEALTH AUTHORITY** 

6 NU50CK000541-05-13

1. REVISED: TERMS AND CONDITIONS

### **TERMS AND CONDITIONS OF AWARD**

**Termination**: The purpose of this amendment is to terminate the use of any remaining COVID-19 funding associated with this award. The termination of this funding is for cause. HHS regulations permit termination if "the non-Federal entity fails to comply with the terms and conditions of the award", or separately, "for cause." The end of the pandemic provides cause to terminate COVID-related grants and cooperative agreements. These grants and cooperative agreements were issued for a limited purpose: to ameliorate the effects of the pandemic. Now that the pandemic is over, the grants and cooperative agreements are no longer necessary as their limited purpose has run out. Termination of use of funding under the listed document number(s) is effective as of the date set out in your Notice of Award.

Impacted document numbers are included on page 2 of this Notice of Award (NoA).

No additional activities can be conducted, and no additional costs may be incurred, as it relates to these funds. Unobligated award balances of COVID-19 funding will be de-obligated by CDC. Award activities under other funding may continue consistent with the terms and conditions of the award.

Final Federal Financial Report (FFR, SF-425): Within 30 days please submit final FFR's for impacted document numbers. The FFR should only include those funds authorized and expended during the timeframe covered by the report. The final report must indicate the exact balance of unobligated funds and may not reflect any unliquidated obligations. Should the amount not match with the final expenditures reported to the Payment Management System (PMS), you will be required to update your reports to PMS accordingly.

All other terms and conditions of this award remain in effect.

### Case 1:25-cv-00121-MSM-LDA Document 4-37

1. DATE ISSUED MM/DD/YYYYY
and the sexument of the sexument of

### Filed 04/01/25 Page 30 of 53 PageID

# DEPARTMENT OF HEALTH AND HUMAN SERVICES Centers for Disease Control and Prevention

2939 Brandywine Road Atlanta, GA 30341

### **NOTICE OF AWARD**

AUTHORIZATION (Legislation/Regulations) 301(A)AND317(K)(2)PHS42USC241(A)247B(K)2

#### 8. TITLE OF PROJECT (OR PROGRAM)

From

From

MM/DD/YYYY

MM/DD/YYYY

08/01/2019

08/01/2019

6. PROJECT PERIOD

7. BUDGET PERIOD

Oregon 2019 Epidemiology and Laboratory Capacity for Prevention and Control of Emerging Infectious Diseases (ELC)

Through

Through

MM/DD/YYYY

MM/DD/YYYY

07/31/2024

07/31/2020

9a. GR	ANTEE NAME AND ADDRESS		9b. GRAN	TEE PROJECT DIRECTOR				
Н	JMAN SERVICES, OREGON DEPARTMENT OF		Dr. Ann Thomas					
50	00 Summer St Ne E32		800 NE Oregon St Suite 772					
-0	UP4		Portla	ind, OR 97232				
S	ALEM, OR 97301-1063		Phone	e: 971-673-1111				
10a. G	RANTEE AUTHORIZING OFFICIAL		10b. FEDE	RAL PROJECT OFFICER				
D	Collette Young. PhD		Mrs.	Janice Downing				
80	00 NE Oregon Street Suite 465	1600	Clifton Rd					
P	ortland, OR 97232-2187		Atlan	ta, GA 30333				
PI	none: (971) 673-0199		Phon	e: 404-639-7808				
		ALL AMOUNTS ARE S	SHOWN IN U	JSD				
11. APP	ROVED BUDGET (Excludes Direct Assistance)		12. AWARD	COMPUTATION				
I Finar	ncial Assistance from the Federal Awarding Agency Only		a. Amount	of Federal Financial Assistance (fror	n item 11m)		100,036,093.00	
Il Total project costs including grant funds and all other financial participation		on <b>I</b>	b. Less Un	obligated Balance From Prior Budge	0.00			
a.	Salaries and WageS	1,356,027.00	c. Less Cu	c. Less Cumulative Prior Award(s) This Budget Period			98,897,708.00	
	·		d. AMOUNT OF FINANCIAL ASSISTANCE THIS ACTION 1.138.3				1,138,385.00	
b.	Fringe Benefits	726,058.00	13. Total Fe	deral Funds Awarded to Date for F	Project Period		100,036,093.00	
C.	Total Personnel Costs	2,082,085.00		MENDED FUTURE SUPPORT the availability of funds and satisfact	ory progress of the	nroiect):		
d.	Equipment	0.00		·				
e.	Supplies	264,673.00	YEAR	TOTAL DIRECT COSTS	YEAR	TOTAL	DIRECT COSTS	
f.	Travel	51,025.00	a. 2 b. 3		d. 5 e. 6			
g.	Construction	0.00	c. 4		f. 7			
h.	Other	96,487,360.00	15. PROGRAM	I I INCOME SHALL BE USED IN ACCORD WITH	ONE OF THE FOLLO	VING		
		638.727.00	ALTERNATIVI a.	ES: DEDUCTION				
	- Contractadi		b. c.	ADDITIONAL COSTS MATCHING			b	
J.	TOTAL DIRECT COSTS	99,523,870.00	d. e.	OTHER RESEARCH (Add / Deduct Option) OTHER (See REMARKS)				
k.	INDIRECT COSTS	512,223.00		RD IS BASED ON AN APPLICATION SUBMITT				
	TOTAL APPROVED BUDGET	100,036,093.00		ETITLED PROJECT AND IS SUBJECT TO THE ENCE IN THE FOLLOWING:	TERMS AND CONDITIO	NS INCORPORAT	ED EITHER DIRECTLY	
1.	TOTAL APPROVED BODGET	100,000,000.00	a. b.	The grant program legislation The grant program regulations.				
m.	Federal Share	100,036,093.00	c. d.	This award notice including terms and condition Federal administrative requirements, cost prince	ns, if any, noted below u ciples and audit requiren	nder REMARKS. nents applicable to	this grant.	
	Non-Federal Share	0.00	In the event there are conflicting or otherwise inconsistent policies applicable to the grant, the above order of precedence sha					

### GRANTS MANAGEMENT OFFICIAL:

Brownie Anderson-Rana, Grants Management Officer 2939 Flowers Road

Mailstop TV2 Atlanta, GA 30341-5509 Phone: 770-488-2771

17.OBJ CLASS	41.51	18a. VENDOR CODE	1936001752A1	18b. EIN	936001752	19. DUNS	878144021	20. CONG. DIST.	05
FY-AC	CCOUNT NO.	DOCUM	ENT NO.	,	ADMINISTRATIVE CODE	AMT .	ACTION FIN ASST	APPROPRIA	TION
21. a.	0-9390EPX	b. 19NU500	K000541CV	C.	CK	d.	\$1,138,385.00	e. 75-	2022-0943
22. a.		b.		C.		d.		e.	
23. a.		b.		C.		d.	Evi	ibit C	
LATIBILG									

# NOTICE OF AWARD (Continuation Sheet)

PAGE 2 of 3		DATE ISSUED 05/28/2020	
GRANT NO.	6 NU	50CK000541-01-08	

### **Direct Assistance**

BUDGET CATEGORIES	PREVIOUS AMOUNT (A)	AMOUNT THIS ACTION (B)	TOTAL (A + B)
Personnel	\$0.00	\$0.00	\$0.00
Fringe Benefits	\$0.00	\$0.00	\$0.00
Travel	\$0.00	\$0.00	\$0.00
Equipment	\$0.00	\$0.00	\$0.00
Supplies	\$0.00	\$0.00	\$0.00
Contractual	\$0.00	\$0.00	\$0.00
Construction	\$0.00	\$0.00	\$0.00
Other	\$0.00	\$0.00	\$0.00
Total	\$0.00	\$0.00	\$0.00

NOTICE OF AWARD (Continuation Sheet)

3

PAGE 3 of 3		DATE ISSUED 05/28/2020
GRANT NO.	6 NU	50CK000541-01-08

Federal Financial Report Cycle						
Reporting Period Start Date	Reporting Period End Date	Reporting Type	Reporting Period Due Date			
08/01/2019	07/31/2020	Annual	10/29/2020			

Exhibit C Page 3 of 8 Case 1:25-cv-00121-MSM-LDA Document 4-37 Filed 04/01/25 Page 33 of 53 PageID #: 2952

## **AWARD ATTACHMENTS**

Oregon Health Authority/Public Health Division

6 NU50CK000541-01-08

1. CV Terms and Conditions

### AWARD INFORMATION

**Incorporation**: In addition to the federal laws, regulations, policies, and CDC General Terms and Conditions for Non-research awards at

https://www.cdc.gov/grants/federalregulationspolicies/index.html, the Centers for Disease Control and Prevention (CDC) hereby incorporates Notice of Funding Opportunity (NOFO) number CK19-1904, entitled Epidemiology and Laboratory Capacity (ELC), which is hereby made a part of this Non-research award, hereinafter referred to as the Notice of Award (NoA).

**Component Funding:** Additional funding in the amount \$1,138,385 is approved for the Year 01 budget period, which is August 1, 2019 through July 31, 2020

**COVID-19:** Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020 (P.L. 116-123) Response Activities:

E. Cross-Cutting Emerging Issues: \$1,138,385

Recipients have **24 months** from the date of this NoA to expend all funds awarded herein

**Budget/Workplan Revision Requirement:** Within 30 days of this NoA, the recipient must submit a revised budget with a narrative justification outlining response activities. Failure to submit the required information in a timely manner may adversely affect the future funding of the project. If the information cannot be provided by the due date, you are required to contact your ELC Project Officer and Grant Management Specialist. The revised budget must be uploaded in GrantSolutions as an amendment to allow issuance of a revised NoA.

**Pre-Award Costs**: Pre-award costs dating back to January 20, 2020 – when CDC first activated its Emergency Operations Center (EOC) – and directly related to the COVID-19 outbreak response are allowable.

**Indirect Costs:** Indirect cost will be approved based on current approved negotiated indirect cost rate agreement.

**Overtime:** Because overtime costs are a very likely and reasonable expense during the response to COVID-19, CDC will allow recipients to include projected overtime in their budgets. Recipients should be careful to estimate costs based on current real-time needs and will still be required to follow federal rules and regulations in accounting for the employees' time and effort.

### **Additional Term and Condition:**

A recipient of a grant or cooperative agreement awarded by the Department of Health and Human Services (HHS) with funds made available under the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020 (P.L. 116-123); the Coronavirus Aid, Relief, and Economic Security Act, 2020 (the "CARES Act") (P.L. 116-136); and/or the Paycheck Protection Program and Health Care Enhancement Act (P.L. 116-139) agrees, as applicable to the award, to: 1) comply with existing and/or future directives and guidance from the Secretary regarding control of the spread of COVID-19; 2) in consultation and coordination with HHS, provide, commensurate with the condition of the individual, COVID-19 patient care regardless of the individual's home jurisdiction and/or appropriate public health measures (e.g., social distancing, home isolation); and 3) assist the United States Government in the implementation and enforcement of federal orders related to quarantine and isolation.

In addition, to the extent applicable, Recipient will comply with Section 18115 of the CARES Act, with respect to the reporting to the HHS Secretary of results of tests intended to detect SARS—CoV–2 or to diagnose a possible case of COVID–19. Such reporting shall be in accordance with guidance and direction from HHS and/or CDC.

Further, consistent with the full scope of applicable grant regulations (45 C.F.R. 75.322), the purpose of this award, and the underlying funding, the recipient is expected to provide to CDC copies of and/or access to COVID-19 data collected with these funds, including but not limited to data related to COVID-19 testing. CDC will specify in further guidance and directives what is encompassed by this requirement.

This award is contingent upon agreement by the recipient to comply with existing and future guidance from the HHS Secretary regarding control of the spread of COVID-19. In addition, recipient is expected to flow down these terms to any subaward, to the extent applicable to activities set out in such subaward.

### **Unallowable Costs:**

- Research
- Clinical care
- Publicity and propaganda (lobbying):
  - o Other than for normal and recognized executive-legislative relationships, no funds may be used for:
    - publicity or propaganda purposes, for the preparation, distribution, or use of any material designed to support or defeat the enactment of legislation before any legislative body
    - the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence the enactment of legislation, appropriations, regulation, administrative action, or Executive order proposed or pending before any legislative body
  - o See Additional Requirement (AR) 12 for detailed guidance on this prohibition and additional guidance on lobbying for CDC recipients: https://www.cdc.gov/grants/documents/Anti-Lobbying Restrictions for CDC Grantees July 2012.pdf
- All unallowable costs cited in CDC-RFA-CK19-1904 remain in effect, unless specifically amended in this guidance, in accordance with 45 CFR Part 75 - Uniform Administrative Requirements, Cost Principles, And Audit Requirements for HHS Awards.

### REPORTING REQUIREMENTS

### Additional Reporting:

- Monthly fiscal reports (beginning 60 days after NOAs are issued)
- Quarterly progress reports on status of timelines, goals, and objectives as defined by CDC in approved work plans
- Quarterly Performance measure data
- CDC may require recipients to develop annual progress reports (APRs). CDC will provide APR guidance and optional templates should they be required.
- Quarterly reporting of test results, both positive and negative
- Clarity on how the states will focus on high socially vulnerable index counties, rural and urban areas, etc. (Vulnerable populations must be specific).

Required Disclosures for Federal Awardee Performance and Integrity Information System (FAPIIS): Consistent with 45 CFR 75.113, applicants and recipients must disclose in a timely manner, in writing to the CDC, with a copy to the HHS Office of Inspector General (OIG), all information related to violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Subrecipients must disclose, in a timely manner in writing to the prime recipient (pass through entity) and the HHS OIG, all information related to violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting

the federal award. Disclosures must be sent in writing to the CDC and to the HHS OIG at the following addresses:

CDC, Office of Grants Services
Tonya M. Jenkins, Grants Management Specialist
Time Solutions LLC
Office of Grants Services (OGS)
Office of Financial Resources (OFR)
Office of the Chief Operating Officer (OCOO)
Centers for Disease Control and Prevention (CDC)
pjo6@cdc.gov | 404-498-2399 office

### AND

U.S. Department of Health and Human Services Office of the Inspector General ATTN: Mandatory Grant Disclosures, Intake Coordinator 330 Independence Avenue, SW Cohen Building, Room 5527 Washington, DC 20201

Fax: (202)-205-0604 (Include "Mandatory Grant Disclosures" in subject line) or Email: MandatoryGranteeDisclosures@oig.hhs.gov

Recipients must include this mandatory disclosure requirement in all subawards and contracts under this award.

Failure to make required disclosures can result in any of the remedies described in 45 CFR 75.371. Remedies for noncompliance, including suspension or debarment (See 2 CFR parts 180 and 376, and 31 U.S.C. 3321).

CDC is required to report any termination of a federal award prior to the end of the period of performance due to material failure to comply with the terms and conditions of this award in the OMB-designated integrity and performance system accessible through SAM (currently FAPIIS). (45 CFR 75.372(b)) CDC must also notify the recipient if the federal award is terminated for failure to comply with the federal statutes, regulations, or terms and conditions of the federal award. (45 CFR 75.373(b))

### PAYMENT INFORMATION

The HHS Office of the Inspector General (OIG) maintains a toll-free number (1-800-HHS-TIPS [1-800-447-8477]) for receiving information concerning fraud, waste, or abuse under grants and cooperative agreements. Information also may be submitted by e-mail to <a href="https://mail.com/hhstips@oig.hhs.gov">hhstips@oig.hhs.gov</a> or by mail to Office of the Inspector General, Department of Health and Human Services, Attn: HOTLINE, 330 Independence Ave., SW, Washington DC 20201. Such reports are treated as sensitive material and submitters may decline to give their names if they choose to remain anonymous.

Payment Management System Subaccount: Funds awarded in support of approved activities have been obligated in a subaccount in the PMS, herein identified as the "P Account". Funds must be used in support of approved activities in the NOFO and the approved application.

The grant document number identified on the bottom of Page 1 of the Notice of Award must be known in order to draw down funds.

**Stewardship**: The recipient must exercise proper stewardship over Federal funds by ensuring that all costs charged to your cooperative agreement are allowable, allocable, and reasonable and that they address the highest priority needs as they relate to this program. Exhibit C

All the other terms and conditions issued with the original award remain in effect throughout the budget period unless otherwise changed, in writing, by the Grants Management Officer.

DEPARTMENT OF HEALTH AND HU
Centers for Disease Control and Prevention

Award# 6 NU50CK000541-02-04

FAIN# NU50CK000541

Federal Award Date: 01/13/2021

### **Recipient Information**

#### 1. Recipient Name

Oregon Health Authority, Public Health Division 500 Summer St Ne E32

-DUP4

SALEM, OR 97301-1063

[NoPhoneRecord]

# 2. Congressional District of Recipient

3. Payment System Identifier (ID)

1936001752A1

**4. Employer Identification Number (EIN)** 936001752

- 5. Data Universal Numbering System (DUNS) 878144021
- 6. Recipient's Unique Entity Identifier

#### 7. Project Director or Principal Investigator

Dr. Ann Thomas Public Health Physician ann.thomas@state.or.us 971-673-1111

#### 8. Authorized Official

Dr. Collette Young. PhD collette.m.young@state.or.us (971) 673-0199

#### **Federal Agency Information**

CDC Office of Financial Resources

#### 9. Awarding Agency Contact Information

Kim McDowell

Grant Management Specialist

qpx9@cdc.gov

404-498-4105

#### 10.Program Official Contact Information

Mrs. Janice Downing Public Health Analyst jsb3@cdc.gov 404-639-7808

#### **Federal Award Information**

#### 11. Award Number

6 NU50CK000541-02-04

12. Unique Federal Award Identification Number (FAIN)

NU50CK000541

#### 13. Statutory Authority

301(A)AND317(K)(2)PHS42USC241(A)247B(K)2

#### 14. Federal Award Project Title

Oregon 2020 Epidemiology and Laboratory Capacity for Prevention and Control of Emerging Infectious Diseases (ELC)

#### 15. Assistance Listing Number

02 223

#### 16. Assistance Listing Program Title

Epidemiology and Laboratory Capacity for Infectious Diseases (ELC)

#### 17. Award Action Type

Supplement

#### 18. Is the Award R&D?

No

## **Summary Federal Award Financial Information**

19. Budget Period Start Date	08/01/2020	- End Date	07/31/2021

20.	Total Amount of Federal Funds Obligated by this Action	\$242,766,122.00
	20a. Direct Cost Amount	\$242,766,122.00
	20b. Indirect Cost Amount	\$0.00
21.	Authorized Carryover	\$0.00
22.	Offset	\$0.00
23.	Total Amount of Federal Funds Obligated this budget period	\$5,199,941.00
24.	Total Approved Cost Sharing or Matching, where applicable	\$0.00

25. Total Federal and Non-Federal Approved this Budget Period
 26. Project Period Start Date 08/01/2019 - End Date 07/31/2024

27. Total Amount of the Federal Award including Approved

Cost Sharing or Matching this Project Period

\$348,002,156.00

\$247,966,063.00

#### 28. Authorized Treatment of Program Income

ADDITIONAL COSTS

#### 29. Grants Management Officer - Signature

Kathy Raible

#### 30. Remarks

33. Approved Budget

(Excludes Direct Assistance)

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Notice of Award

Award# 6 NU50CK000541-02-04 FAIN# NU50CK000541

Federal Award Date: 01/13/2021

## Centers for Disease Control and Prevention

## **Recipient Information**

#### **Recipient Name**

Oregon Health Authority, Public Health Division

500 Summer St Ne E32

-DUP4

SALEM, OR 97301-1063

[NoPhoneRecord]

**Congressional District of Recipient** 

05

**Payment Account Number and Type** 

1936001752A

**Employer Identification Number (EIN) Data** 

936001752

**Universal Numbering System (DUNS)** 

878144021

Recipient's Unique Entity Identifier

Not Available

#### 31. Assistance Type

Cooperative Agreement

#### 32. Type of Award

Demonstration

	I. Financial Assistance from the Federal Awarding Agency Only					
ı	II. Total project costs including grant funds and all other financial participation					
ä	n. Salaries and Wages	\$1,361,762.00				
1	o. Fringe Benefits	\$733,006.00				
	c. TotalPersonnelCosts	\$2,094,768.00				
1	l. Equipment	\$0.00				
1	e. Supplies	\$197,309.00				
1	Travel	\$47,033.00				

 g. Construction
 \$0.00

 h. Other
 \$244,245,941.00

 i. Contractual
 \$805,053.00

j. TOTAL DIRECT COSTS \$247,390,104.00

k. INDIRECT COSTS \$575,959.00

1. TOTAL APPROVED BUDGET \$247,966,063.00

m. Federal Share \$247,966,063.00

n. Non-Federal Share \$0.00

#### **34. Accounting Classification Codes**

FY-ACCOUNT NO.	DOCUMENT NO.	ADMINISTRATIVE CODE	OBJECT CLASS	AMT ACTION FINANCIAL ASSISTANCE	APPROPRIATION
0-93909S7	19NU50CK000541	CK	41.51	\$0.00	75-20-0949
1-9390GKT	19NU50CK000541EDEXC5	CK	41.51	\$242,766,122.00	75-2122-0140

Centers for Disease Control and Prevention

Award# 6 NU50CK000541-02-04

FAIN# NU50CK000541

Federal Award Date: 01/13/2021

#### **Direct Assistance**

BUDGET CATEGORIES	PREVIOUS AMOUNT (A)	AMOUNT THIS ACTION (B)	TOTAL (A + B)
Personnel	\$0.00	\$0.00	\$0.00
Fringe Benefits	\$0.00	\$0.00	\$0.00
Travel	\$0.00	\$0.00	\$0.00
Equipment	\$0.00	\$0.00	\$0.00
Supplies	\$0.00	\$0.00	\$0.00
Contractual	\$0.00	\$0.00	\$0.00
Construction	\$0.00	\$0.00	\$0.00
Other	\$0.00	\$0.00	\$0.00
Total	\$0.00	\$0.00	\$0.00

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## **AWARD ATTACHMENTS**

Oregon Health Authority, Public Health Division

6 NU50CK000541-02-04

1. YR 2 Supplemental Terms and Conditions

#### **AWARD INFORMATION**

Incorporation: In addition to the federal laws, regulations, policies, and CDC General Terms and Conditions for Non-research awards at <a href="https://www.cdc.gov/grants/federalregulationspolicies/index.html">https://www.cdc.gov/grants/federalregulationspolicies/index.html</a>, the Centers for Disease Control and Prevention (CDC) hereby incorporates Notice of Funding Opportunity (NOFO) number CK19-1904, entitled Epidemiology and Laboratory Capacity for Prevention and Control of Emerging Infectious Diseases (ELC), which are hereby made a part of this Non-research award, hereinafter referred to as the Notice of Award (NoA).

**Supplemental Component Funding:** Additional funding in the amount \$242,766,122 is approved for the Year 02 budget period, which is August 1, 2020 through July 31, 2021.

The approved component and funding level for this notice of award are:

NOFO Component	Amount
ELC Enhancing Detection Expansion	\$242,766,122

### Recipients have until July 31, 2023 to expend all COVID-19 funds awarded herein.

**Overtime**: Because overtime costs are a very likely and reasonable expense during the response to COVID-19, CDC will allow recipients to include projected overtime in their budgets. Recipients should be careful to estimate costs based on current real-time needs and will still be required to follow federal rules and regulations in accounting for the employees' time and effort.

Coronavirus Disease 2019 (COVID-19) Funds: A recipient of a grant or cooperative agreement awarded by the Department of Health and Human Services (HHS) with funds made available under the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020 (P.L. 116-123); the Coronavirus Aid, Relief, and Economic Security Act, 2020 (the "CARES Act") (P.L. 116-136); the Paycheck Protection Program and Health Care Enhancement Act (P.L. 116-139); and/or the Consolidated Appropriations Act, 2021, Division M – Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (P.L. 116-260), agrees, as applicable to the award, to: 1) comply with existing and/or future directives and guidance from the Secretary regarding control of the spread of COVID-19; 2) in consultation and coordination with HHS, provide, commensurate with the condition of the individual, COVID-19 patient care regardless of the individual's home jurisdiction and/or appropriate public health measures (e.g., social distancing, home isolation); and 3) assist the United States Government in the implementation and enforcement of federal orders related to quarantine and isolation.

To achieve the public health objectives of ensuring the health, safety, and welfare of all Americans, Recipient must distribute or administer vaccine without discriminating on non-public-health grounds within a prioritized group. This includes, but is not limited to, immigration status, criminal history, incarceration, or homelessness. To this end, and to help achieve the public health imperative of widespread herd immunity to COVID-19, Recipient must administer or distribute vaccine to any and all individuals within a prioritized group in the same timeframe, taking into account available vaccine doses. For example, if meatpacking plant workers are a prioritized group, then all workers in that group, including undocumented immigrants, must be vaccinated to help assure that the plant is in a position to safely resume essential functions.

#: 2962

In addition, to the extent applicable, Recipient will comply with Section 18115 of the CARES Act, with respect to the reporting to the HHS Secretary of results of tests intended to detect SARS-CoV-2 or to diagnose a possible case of COVID-19. Such reporting shall be in accordance with guidance and direction from HHS and/or CDC. HHS laboratory reporting guidance is posted at: https://www.hhs.gov/sites/default/files/covid-19-laboratory-data-reporting-guidance.pdf.

Further, consistent with the full scope of applicable grant regulations (45 C.F.R. 75.322), the purpose of this award, and the underlying funding, the recipient is expected to provide to CDC copies of and/or access to COVID-19 data collected with these funds, including but not limited to data related to COVID-19 testing. CDC will specify in further guidance and directives what is encompassed by this requirement.

This award is contingent upon agreement by the recipient to comply with existing and future guidance from the HHS Secretary regarding control of the spread of COVID-19. In addition, recipient is expected to flow down these terms to any subaward, to the extent applicable to activities set out in such subaward.

#### **Unallowable Costs:**

- Research
- Clinical care
- Publicity and propaganda (lobbying):
  - Other than for normal and recognized executive-legislative relationships, no funds may be used for:
    - publicity or propaganda purposes, for the preparation, distribution, or use of any material designed to support or defeat the enactment of legislation before any legislative body
    - the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence the enactment of legislation, appropriations, regulation, administrative action, or Executive order proposed or pending before any legislative body
  - See Additional Requirement (AR) 12 for detailed guidance on this prohibition and additional guidance on lobbying for CDC recipients: https://www.cdc.gov/grants/documents/Anti-Lobbying Restrictions for CDC Grantees July 2012.pdf

 All unallowable costs cited in CDC-RFA-CK19-1904 remain in effect, unless specifically amended in this guidance, in accordance with 45 CFR Part 75 – Uniform Administrative Requirements, Cost Principles, And Audit Requirements for HHS Awards.

**Budget Revision Requirement:** By March 17, 2021 the recipient must submit a separate revised budget with a narrative justification and workplan in accordance with the COVID-19 guidance. The workplan should be submitted in REDCap and must address all activities in the guidance.

The revised budget and narrative justification must be uploaded as an amendment in Grant Solutions with a SF424A.

Failure to submit the required information in a timely manner may adversely affect the future funding of this project. If the information cannot be provided by the due date, you are required to contact the GMS/GMO identified in the CDC Staff Contacts section of this notice before the due date.

#### REPORTING REQUIREMENTS

#### **COVID-19 - Additional Reporting Requirements:**

- Monthly fiscal reports (beginning 60 days after NOAs are issued). Thereafter, all
  monthly financial reporting will occur on the 5<sup>th</sup> of the month which will cover the
  preceding month's expenditures and unliquidated obligations (ULOs).
- Quarterly workplan milestone progress reporting will start on April 30, 2021; and will follow the regular ELC quarterly reporting timeline.
- The Jurisdictional Testing, Case Investigation, and Contact Tracing Plan updates will occur on the same quarterly reporting timeline as the workplan milestone progress.
- CDC may require recipients to develop annual progress reports (APRs). CDC will provide APR guidance and optional templates should they be required

Required Disclosures for Federal Awardee Performance and Integrity Information System (FAPIIS): Consistent with 45 CFR 75.113, applicants and recipients must disclose in a timely manner, in writing to the CDC, with a copy to the HHS Office of Inspector General (OIG), all information related to violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Subrecipients must disclose, in a timely manner in writing to the prime recipient (pass through entity) and the HHS OIG, all information related to violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Disclosures must be sent in writing to the CDC and to the HHS OIG at the following addresses:

CDC, Office of Grants Services Kim McDowell, Grants Management Specialist Centers for Disease Control and Prevention Branch 1 2939 Flowers Road, MS-TV2 Atlanta, GA 30341

Email: qpx9@cdc.gov (Include "Mandatory Grant Disclosures" in subject line)

#### AND

U.S. Department of Health and Human Services
Office of the Inspector General
ATTN: Mandatory Grant Disclosure, Intake Coordinator
330 Independent Avenue, SW
Cohen Building, Room 5527
Washington, DC 20201

Fax: (202)-205-0604 (Include "Mandatory Grant Disclosures" in subject

line) or Email: MandatoryGranteeDisclosures@oig.hhs.gov

Recipients must include this mandatory disclosure requirement in all subawards and contracts under this award.

Failure to make required disclosures can result in any of the remedies described in 45 CFR 75.371. Remedies for noncompliance, including suspension or debarment (See 2 CFR parts 180 and 376, and 31 U.S.C. 3321).

CDC is required to report any termination of a federal award prior to the end of the period of performance due to material failure to comply with the terms and conditions of this award in the OMB-designated integrity and performance system accessible through SAM (currently FAPIIS). (45 CFR 75.372(b)) CDC must also notify the recipient if the federal award is terminated for failure to comply with the federal statutes, regulations, or terms and conditions of the federal award. (45 CFR 75.373(b))

#### **PAYMENT INFORMATION**

The HHS Office of the Inspector General (OIG) maintains a toll-free number (1-800-HHS-TIPS [1-800-447-8477]) for receiving information concerning fraud, waste, or abuse under grants and cooperative agreements. Information also may be submitted by e-mail to <a href="mailto:hhstips@oig.hhs.gov">hhstips@oig.hhs.gov</a> or by mail to Office of the Inspector General, Department of Health and Human Services, Attn: HOTLINE, 330 Independence Ave., SW, Washington DC 20201. Such reports are treated as sensitive material and submitters may decline to give their names if they choose to remain anonymous.

**Payment Management System Subaccount**: Funds awarded in support of approved activities have been obligated in a subaccount in the PMS, herein identified as the "P Account". Funds must be used in support of approved activities in the

NOFO and the approved application.

The grant document number identified on the bottom of Page 1 of the Notice of Award must be known in order to draw down funds.

## Stewardship Information

**Stewardship**: The recipient must exercise proper stewardship over Federal funds by ensuring that all costs charged to your cooperative agreement are allowable, allocable, and reasonable and that they address the highest priority needs as they relate to this program.

All the other terms and conditions issued with the original award remain in effect throughout the budget period unless otherwise changed, in writing, by the Grants Management Officer.

Award# 6 NU50CK000541-05-04 FAIN# NU50CK000541

Federal Award Date: 01/04/2024

## **Recipient Information**

#### 1. Recipient Name

OREGON HEALTH AUTHORITY

500 Summer St Ne E32

-DUP4

SALEM, OR 97301-1063

[NO DATA]

## 2. Congressional District of Recipient

3. Payment System Identifier (ID)

1936001752A1

**4. Employer Identification Number (EIN)** 936001752

5. Data Universal Numbering System (DUNS) 878144021

**6. Recipient's Unique Entity Identifier (UEI)**HFJRBHKCBPR5

#### 7. Project Director or Principal Investigator

Dr. Melissa Sutton

Principal Investigator

Melissa.Sutton@dhsoha.state.or.us

971-673-2504

#### 8. Authorized Official

Dr. Collette Young. PhD

Collette.M.YOUNG@dhsoha.state.or.us

(971) 673-0199

#### **Federal Agency Information**

CDC Office of Financial Resources

#### 9. Awarding Agency Contact Information

Bakia Parrish

Grants Management Specialist

tee0@cdc.gov

678-475-4956

#### 10.Program Official Contact Information

Zoe Kaplan

Program Officer

prd7@cdc.gov

2409942681

## Federal Award Information

#### 11. Award Number

6 NU50CK000541-05-04

#### 12. Unique Federal Award Identification Number (FAIN)

NU50CK000541

#### 13. Statutory Authority

301(A)AND317(K)(2)PHS42USC241(A)247B(K)2

#### 14. Federal Award Project Title

Oregon 2020 Epidemiology and Laboratory Capacity for Prevention and Control of Emerging Infectious Diseases (ELC)

#### 15. Assistance Listing Number

03 323

#### 16. Assistance Listing Program Title

Epidemiology and Laboratory Capacity for Infectious Diseases (ELC)

#### 17. Award Action Type

Supplement

#### 18. Is the Award R&D?

Nο

## **Summary Federal Award Financial Information**

19	Rudget Period Start Date	08/01/2023	- End Date	07/31/2027	

20. Total Amount of Federal Funds Obligated by this Action	\$11,356,619.00
20a. Direct Cost Amount	\$11,356,619.00
20b. Indirect Cost Amount	\$0.00

**21.** Authorized Carryover \$14,855,710.00

**22.** Offset \$1,077,168.00

**23.** Total Amount of Federal Funds Obligated this budget period \$2,486,047.00

24. Total Approved Cost Sharing or Matching, where applicable \$0.00

25. Total Federal and Non-Federal Approved this Budget Period

26. Period of Perfomance Start Date 08/01/2019 - End Date 07/31/2027

**27.** Total Amount of the Federal Award including Approved

Cost Sharing or Matching this Period of Performance

\$13,842,666.00

\$13,842,666.00

#### 28. Authorized Treatment of Program Income

ADDITIONAL COSTS

#### 29. Grants Management Officer - Signature

Karen Zion1

Grants Management Officer

#### 30. Remarks

DEPARTMENT OF HEALTH AND HUTTH SERVICES

Centers for Disease Control and Prevention

Notice of Award

Award# 6 NU50CK000541-05-04 FAIN# NU50CK000541

Federal Award Date: 01/04/2024

## **Recipient Information**

#### **Recipient Name**

OREGON HEALTH AUTHORITY

500 Summer St Ne E32

-DUP4

SALEM, OR 97301-1063

[NO DATA]

#### **Congressional District of Recipient**

**Payment Account Number and Type** 

**Employer Identification Number (EIN) Data** 

**Universal Numbering System (DUNS)** 

Recipient's Unique Entity Identifier (UEI)

HFJRBHKCBPR5

#### 31. Assistance Type

Cooperative Agreement

32. Type of Award

Other

#### 33. Approved Budget

(Excludes Direct Assistance)

- I. Financial Assistance from the Federal Awarding Agency Only
- II. Total project costs including grant funds and all other financial participation

a. Salaries and Wages	\$6,273,105.00
b. Fringe Benefits	\$3,403,506.00
c. TotalPersonnelCosts	\$9,676,611.00
d. Equipment	\$224,830.00
e. Supplies	\$757,353.00
f. Travel	\$86,505.00
g. Construction	\$0.00
h. Other	\$13,373,265.00
i. Contractual	\$3,873,284.00
j. TOTAL DIRECT COSTS	\$27,991,848.00
k. INDIRECT COSTS	\$1,783,696.00
1. TOTAL APPROVED BUDGET	\$29,775,544.00
m. Federal Share	\$29,775,544.00

#### 34. Accounting Classification Codes

FY-ACCOUNT NO.	DOCUMENT NO.	ADMINISTRATIVE CODE	OBJECT CLASS	CFDA NO.	AMT ACTION FINANCIAL ASSISTANCE	APPROPRIATION
3-9210995	19NU50CK000541SHP2C6	CK	41.51	93.323	\$0.00	75-X-0140
3-9390JEN	19NU50CK000541NWS2C6	CK	41.51	93.323	\$0.00	75-X-0140
3-9390JXH	19NU50CK000541DMD2C6	CK	41.51	93.323	\$0.00	75-X-0140
3-9390LMF	19NU50CK000541DMD2C6	CK	41.51	93.323	\$0.00	75-X-0140
3-9390LFD	19NU50CK000541DMD2C6	CK	41.51	93.323	\$0.00	75-X-0140
3-939017Y	19NU50CK000541ASA2C6	CK	41.51	93.323	\$0.00	75-X-0943
3-939017Z	19NU50CK000541ASA2C6	CK	41.51	93.323	\$0.00	75-X-0943
4-9390MVR	19NU50CK000541ASA2C6	CK	41.51	93.323	\$1,397,398.00	75-X-0140
4-9390MVS	19NU50CK000541NWS2C6	CK	41.51	93.323	\$3,704,310.00	75-X-0140
4-9390MVT	19NU50CK000541SHP2C5	CK	41.51	93.323	\$6,254,911.00	75-2124-0943

n. Non-Federal Share

\$29,775,544.00

\$0.00

Award# 6 NU50CK000541-05-04 FAIN# NU50CK000541

Federal Award Date: 01/04/2024

## Centers for Disease Control and Prevention

#### **Direct Assistance**

BUDGET CATEGORIES	PREVIOUS AMOUNT (A)	AMOUNT THIS ACTION (B)	TOTAL (A + B)
Personnel	\$0.00	\$0.00	\$0.00
Fringe Benefits	\$0.00	\$0.00	\$0.00
Travel	\$0.00	\$0.00	\$0.00
Equipment	\$0.00	\$0.00	\$0.00
Supplies	\$0.00	\$0.00	\$0.00
Contractual	\$0.00	\$0.00	\$0.00
Construction	\$0.00	\$0.00	\$0.00
Other	\$0.00	\$0.00	\$0.00
Total	\$0.00	\$0.00	\$0.00

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## **AWARD ATTACHMENTS**

**OREGON HEALTH AUTHORITY** 

6 NU50CK000541-05-04

1. CK000541 Oregon\_BP5 RD2 SUPPLEMENT - TERMS CONDITIONS

#### AWARD INFORMATION

**Incorporation**: In addition to the federal laws, regulations, policies, and CDC General Terms and Conditions for Non-research awards at https://www.cdc.gov/grants/federalregulations- policies/index.html, the Centers for Disease Control and Prevention (CDC) hereby incorporates Notice of Funding Opportunity (NOFO) number CK19-1904, entitled Epidemiology and Laboratory Capacity for Prevention and Control of Emerging Infectious Diseases (ELC), as may be amended, which are hereby made a part of this Non-research award, hereinafter referred to as the Notice of Award (NoA).

#: 2970

**Supplemental Funding**: Additional funding in the amount of \$11,356,619 is approved for the Year 05 budget period, which is August 1, 2023 through July 31, 2027. All future year funding will be based on satisfactory programmatic progress and the availability of funds.

Funding Restriction: Funds are restricted pending submission of a revised budget amendment and subsequent approval via the issuance of a revised NoA.

Budget Revision Requirement: Within 30 days of this Notice of Award (NoA) issue date, the recipient must submit a revised budget with a narrative justification. Failure to submit the required information in a timely manner may adversely affect the future funding of this project. If the information cannot be provided by the due date, you are required to contact the GMS/GMO identified in the CDC Staff Contacts section of this notice before the due date.

Note: Refer to the Payment Information section for Payment Management System (PMS) subaccount information.

The NOFO provides for the funding of multiple components under this award. The approved component funding levels for this notice of award are:

Funding Component	Document Suffix	Amount
AMD 2	ASA2C6	\$1,397,398
NWSS 2	NWS2C6	\$3,704,310
SHARP 2	SHP2C5	\$6,254,911

Coronavirus Disease 2019 (COVID-19) Funds: A recipient of a grant or cooperative agreement awarded by the Department of Health and Human Services (HHS) with funds made available under the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020 (P.L. 116-123); the Coronavirus Aid, Relief, and Economic Security Act, 2020 (the "CARES Act") (P.L. 116-136); the Paycheck Protection Program and Health Care Enhancement Act (P.L. 116-139); the Consolidated Appropriations Act and the Coronavirus Response and Relief Supplement Appropriations Act, 2021 (P.L. 116-260) and/or the American Rescue Plan of 2021 [P.L. 117-2] agrees, as applicable to the award, to: 1) comply with existing and/or future directives and guidance from the Secretary regarding control of the spread of COVID-19; 2) in consultation and coordination with HHS, provide, commensurate with the condition of the individual, COVID-19 patient care regardless of the individual's home jurisdiction and/or appropriate public health measures (e.g., social distancing, home isolation); and 3) assist the United States Government in the implementation and enforcement of federal orders related to quarantine and isolation.

#: 2971

Further, consistent with the full scope of applicable grant regulations (45 C.F.R. 75.322), the purpose of this award, and the underlying funding, the recipient is expected to provide to CDC copies of and/or access to COVID-19 data collected with these funds, including but not limited to data related to COVID-19 testing. CDC will specify in further guidance and directives what is encompassed by this requirement.

This award is contingent upon agreement by the recipient to comply with existing and future guidance from the HHS Secretary regarding control of the spread of COVID-19. In addition, recipient is expected to flow down these terms to any subaward, to the extent applicable to activities set out in such subaward.

**Expanded Authority:** The recipient is permitted the following expanded authority in the administration of the award.

☑ Carryover of unobligated balances from one budget period to a subsequent budget period. Unobligated funds may be used for purposes within the scope of the project as originally approved. Recipients will report use, or intended use, of unobligated funds in Section 12 "Remarks" of the annual Federal Financial Report. If the GMO determines that some or all of the unobligated funds are not necessary to complete the project, the GMO may restrict the recipient's authority to automatically carry over unobligated balances in the future, use the balance to reduce or offset CDC funding for a subsequent budget period, or use a combination of these actions.

#### REPORTING REQUIREMENTS

### **Financial Reporting Requirement:**

Quarterly Financial Reporting of both Core and all COVID accounts. Reporting of expenditures and unliquidated obligations (ULOs) are due no later than the 20<sup>th</sup> of the month following the end of the quarter.

- Q1 (August 1 thru October 31) due date November 20<sup>th</sup>
- Q2 (November 1 thru January 31) due date February 20<sup>th</sup>
- Q3 (February 1 thru April 30) due date May 20<sup>th</sup>
- Q4 (May 1 thru July 30) due date August 20th.

#### Additional Reporting Requirement:

Quarterly Workplan Milestone progress reporting due on the first day after the end of the quarter.

- Q1 (August 1 thru October 31) due date November 1<sup>st</sup>
- Q2 (November 1 thru January 31) due date February 1<sup>st</sup>
- Q3 (February 1 thru April 30) due date May 1<sup>st</sup>
- Q4 (May 1 thru July 30) due date August 1<sup>st</sup>

#### **PAYMENT INFORMATION**

**Payment Management System Subaccount**: Funds awarded in support of approved activities have been obligated in a subaccount in the PMS, herein identified as the "P Account". Funds must be used in support of approved activities in the NOFO and the approved application.

The grant document number identified beginning on the bottom of Page 2 of the Notice of Award must be known to draw down funds.